GARY R. HERBERT
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Lieutenant Governor

State of Utah
DEPARTMENT OF NATURAL RESOURCES
BRIAN C. STEED
Executive Director
Division of Oil, Gas and Mining
JOHN R. BAZA
Division Director

October 24, 2019

Kirk Nicholes, Resident Agent
Alton Coal Development, LLC
463 North 100 West, Suite 1
Cedar City, Utah 84720

Subject: Pond 3 Certification, Task #5996, Alton Coal Development, LLC, Coal Hollow Mine, C/025/0005

Dear Mr. Nicholes:

The Division has reviewed your application. The Division has identified deficiencies that must be addressed before final approval can be granted. The deficiencies are listed as an attachment to this letter.

The deficiencies authors are identified so that your staff can communicate directly with that individual should questions arise. The plans as submitted are denied. Please resubmit the entire application.

If you have any questions, please call me at (801) 538-5350.

Sincerely,

Steve Christensen
Coal Program Manager

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Technical Analysis and Findings

Utah Coal Regulatory Program

PID: C0250005
TaskID: 5996
Mine Name: COAL HOLLOW
Title: POND 3 CERTIFICATION

Operation Plan

Hydrologic Ponds Impoundments Banks Dams

Analysis:

The application does not meet the State of Utah R645 requirements for Hydrologic: Ponds, Impoundments, Banks.

The Permittee submitted an as-built drawing of sediment pond 3. An expansion of sediment pond 3 was approved as part of the 2019 LBA Block 1 amendment, however, the as-built drawing submitted indicates that the pond was expanded even further to provide significantly more storage volume than was originally approved. As shown in the approved 5-30 drawing of Pond 3, the bottom of the pond was designed as an elevation of 6804 feet, however, the pond as-built drawing submitted (drawing 5-30AB) shows the bottom of the pond was built to an elevation of 6796 feet. This make the pond 8 feet deeper than the originally approved pond. According to the submitted as-built drawing, at the emergency spillway of Pond 3 the sediment pond will now have a storage volume of 18.027 acre-feet, increased from the approved design of 15.127 acre-feet. The changes to the sediment pond storage levels will require an update to the Chapter 7 narratives and design calculations regarding Pond 3.

The submitted as-built drawing also has removed the Pit 10 sump de-watering line, but the Permittee has indicated that the sediment pond could still receive mine de-watering water. The Permittee should clearly indicate in the MRP if pits will continue to be de-watered in to Pond 3.

Given the changes to Pond 3 as it was constructed, the as-built drawing of Pond 3 should replace the current 5-30 drawing, as the information in 5-30 is now obsolete.

Deficiencies Details:

The application does not meet the State of Utah R645 requirements for Hydrologic: Ponds, Impoundments, Banks. The following deficiencies must be addressed prior to final approval:

R645-301-742.220 With the increased size of the as-built Sediment Pond 3 from the approved design described in the currently approved MRP, an update to Chapter 7 is required. This includes any pond 3 design information listed in Chapter 7 including information such as storage volumes, elevations, sediment volume calculations and descriptions. The MRP must also clearly state whether Pond 3 will continue to receive flow from pit de-watering activities.

R645-301-733.120 Given the changes to Pond 3 as it was constructed, the as-built drawing must replace the current Drawing 5-30, as the information is Drawing 5-30 is now obsolete.

adaniels

Maps Facilities

Analysis:

The amendment meets the State of Utah R645 requirements for Facilities Maps.

The application meets the requirements for R645-301-521.124 because the included Plate 5-30AB contains an as-built drawing containing the dimensions for Sediment Impoundment 3. The drawing illustrates the impoundment structure in plan view as well as bisecting cross-sectional views and includes the associated storage volumes at one-foot contour intervals. As noted on the as-built drawing, the required storage for a 10-year, 24-hour event is 14.89 acre/ft. An engineer's construction inspection certificate has been included with the drawing which specifies that the storage capacity of the pond is 18.03 acre/ft. The Engineer's construction inspection certificate and as-built drawing have been stamped by Andrew R. Christensen, a Professional Engineer in the State of Utah, and will be signed and certified upon regulatory approval.

jeatchel

Maps Certification Requirements

Analysis:

The amendment meets the State of Utah R645 requirements for Map Certification.

The application meets the requirements for R645-301-521.124, -512.120, and -512.240 because included drawing 5-30AB contains an as-built drawing containing the dimensions for Sediment Impoundment 3. The drawing illustrates the impoundment structure in plan view as well as bisecting cross-sectional views and includes the associated storage volumes at one-foot contour intervals. The Engineer's construction inspection certificate and as-built drawing have been stamped by Andrew R. Christensen, a Professional Engineer in the State of Utah, and will be signed and certified upon approval.

jeatchel

Reclamation Plan

Bonding and Insurance General

Analysis:

The amendment meets the State of Utah R645 requirements for General Bonding.

In addition to illustrating plan and section views, the included Drawing 5-30AB contains a table of volumes and acreages for the as-built Sediment Impoundment 3. The table shows how many acres are disturbed at varying elevations of the pond. The area of surface disturbance along the approximate crest of the pond (Elev 6,815) is 2.400 acres. The current reclamation bond on file with the Division states that Pond 3 was bonded under the assumption that 4.1 acres would be disturbed, and the volume and earthwork calculations were adjusted accordingly. The total cost within the bond to reclaim all 3 phases of Pond 3 amounts to $22,000.

jeatchel